IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4394 OF 2004

Nitin Sheba Koratkar & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr.R.S.Kate for Applicants.

Mr.A.S.Gadkari, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

OCTOBER 21, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. Prima facie, it appears that the deceased was the aggressor and the incident occurred on the spur of the moment, in which, the Applicant No.1 hit the deceased with a stone, which injury was fatal.

3. Taking overall view of the matter, the Applicants deserve to be enlarged on bail, on the following terms:

(a) Applicants are enlarged on bail in connection with C.R.No.27 of 2004 registered with Natepute Police Station on executing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two local sureties in the like amount.

(b) The Applicants shall not influence the prosecution witness or tamper with the evidence in any manner whatsoever.

(c) The Applicants shall report to the concerned Investigating Officer once in a fortnight on Saturday between 10.00 a.m. to 1.00 p.m.

. Application disposed of accordingly.

A.M.KHANWILKAR, J.